

**TRANSMITTAL  
FORM**

*(to be used for all correspondence after initial filing)*

O I P E 4977  
AUG 07 2006  
U.S. PATENT & TRADEMARK OFFICE

Application Number	10/769,574
Filing Date	January 29, 2004
First Named Inventor	Bret Berner
Art Unit	1616
Examiner Name	Edward J. Webman
Attorney Docket Number	73100-001-10

Mail Stop **Amendment**

**ENCLOSURES (Check all that apply)**

No fee due  
 Fee(s) due: \$  Check enclosed  
 Charge Deposit Account No. 18-0580  
 37 CFR § 1.16  
 37 CFR § 1.17  
 The Commission is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 18-0580  
 Return postcard  
 Amendment/Response  After Final  
 Affidavits/declaration(s) -  Affidavits/declaration(s)  
 -Month Extension of Time

Terminal Disclaimer  
 Supplemental Information Disclosure Statement & PTO-1449 Form(s)  Cited reference copy(ies)  
 Response to Missing Parts / Incomplete Application  Declaration(s) by Inventor(s)  
 Preliminary Amendment  
 Updated Application Data Sheet  
 Drawing(s) - \_\_\_ Sheets  
 Compact Disk(s) - \_\_\_ CD(s)  
 Petition  
 Power of Attorney & Address Indication Form

Revocation of & New Power of Attorney, Address Indication Form  
 Request for Refund  
 After Allowance Communication to a Technology Center (TC)  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Other Enclosure(s) (see remarks):

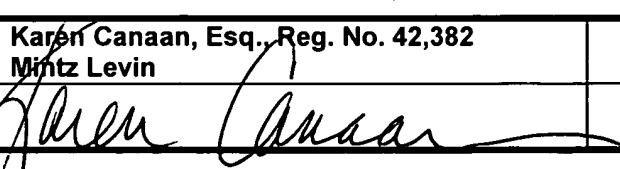
Claim Count

Total Claims	Extra Claims	New Claim No.
<input type="text"/>	<input type="text"/> - 20 =	<input type="text"/>
<input type="text"/> Independent Claims	<input type="text"/> - 3 =	<input type="text"/>

**REMARKS**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

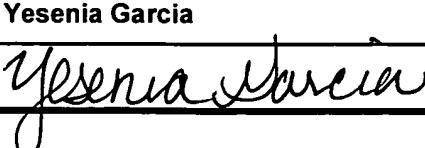
Firm or Individual Name (print/type)	Karen Canaan, Esq., Reg. No. 42,382 Mintz Levin	Telephone	(650) 251-7700
---	--	-----------	----------------

Signature		Date	August 2, 2006
-----------	--	------	----------------

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (print/type)	Yesenia Garcia
-------------------	----------------

Signature		Date	August 2, 2006
-----------	---	------	----------------



Atty Dkt No. 73100-001-10  
Client Ref No. IR-5DIV1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Bret Berner and Jenny Louie-Helm

Confirmation No. 8962

Application Serial No. 10/769,574

Group Art Unit: 1616

Filing Date: January 29, 2004

Examiner: Edward J. Webman

Title: GASTRIC RETENTIVE ORAL DOSAGE FORM WITH RESTRICTED DRUG RELEASE IN THE LOWER GASTROINTESTINAL TRACT

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO 37 C.F.R. § 1.97(a)(3)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.97(a)(3), applicants respectfully request that the Examiner review and make of record the single U.S. patent reference identified in the attached PTO-1449 form. Applicants respectfully request that the Examiner initial and attach a copy of the initialed PTO-1449 with the next Office Communication so that applicants can confirm that the cited reference has been reviewed and made of record. As this application was filed after June 30, 2003, pursuant to MPEP § 609, a copy of the cited U.S. patent is not attached to this Information Disclosure Statement ("IDS").

This IDS is not intended as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any of the above references constitutes prior art to the present application within the meaning of 35 U.S.C. § 102.

As this IDS is filed pursuant to 37 C.F.R. § 1.97(a)(3) before the mailing of a first Office Action, no fee accompanies this IDS; however, if the Office deems that a fee is required in order to process this paper or if the Office finds that an overpayment has been made for this case, then the Commissioner is authorized to charge such fee or to credit any overpayment to Deposit Account No. 18-0580.

Respectfully submitted,

By:

Karen Canaan  
Registration No. 42,382  
MINTZ LEVIN  
1400 Page Mill Road  
Palo Alto, California 94304-1124

